

FILED 17 OCT 2011 13:57 USDC ORP

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

CARRIE GILLOCK,

CV. 09-6370 JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE, Commissioner,  
Social Security Administration,

Defendant.

REDDEN, Judge:

Magistrate Judge John Jelderks issued Findings and Recommendation (# 33) on June 29, 2011. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rules of Civil Procedure 72(b) and 54(d)(2)(D). The magistrate judge makes recommendations to the district court, and any party may file written objections to those recommendations. 28 U.S.C. § 636(b)(1)(C). When a party timely objects to any portion of the magistrate's Findings and Recommendation, the district court must conduct a *de novo* review of the portions of the

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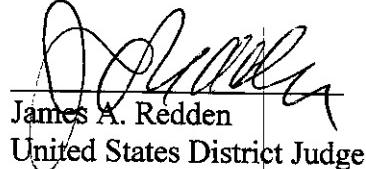
Findings and Recommendation to which objections are made. 28 U.S.C. § 636(b)(1)(C); *McDonnell Douglas Corp. v. Commodore Business Machines*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982). The district court may then “accept, reject, or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate with instructions.” 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The district court is not required to review, *de novo* or under any other standard, the portions of the Findings and Recommendation to which the parties do not object. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*).

I find no error. Accordingly, I adopt the Findings and Recommendation of Magistrate Judge Jelderks.

The Commissioner's decision is affirmed and this matter is dismissed in accordance with the Findings and Recommendation.

IT IS SO ORDERED.

Dated this 17 day of October, 2011.



James A. Redden  
United States District Judge

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